

ORIGINAL RECORD COPY

O.L.C 78-2399

18 July 1978

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MEMORANDUM FOR THE RECORD

SUBJECT: H.R. 13118, Foreign Language Translators Bill

1. On 14 July 1978 from 1600 to 1700, I met with [redacted] Chief of Language School/Romance Language [redacted] in the C&R conference room, to discuss the ramifications of H.R. 13118 which would establish a "Federal Translation Coordinating Council."

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2. The overriding problem with the bill as drafted is that it is amorphous and all encompassing. One stated purpose of the Council would be, in general, to review the current state of translators, translating facilities and methods of translating now existing in the United States. This includes not only "Federal Government" translators but also those in the private sector and moreover, seems to include part-time as well as full-time translators. The Council, composed of ten persons, would include "Two representatives...who are involved in intelligence activities."

3. Although the problems are many and far reaching, some of the more blatant include:

a. Council's authority to "determine...(and recommend to Congress uniform) principles, standards and procedures for (all) translation." (Sec. 4(a)(7))

b. Council given utilization of..."information, studies, reports, statistics and other data...compiled by any (emphasis added) department, agency ..." (Sec. 4(b)(1))

c. Upon Council's request..."head of any (emphasis added) Federal department, agency...shall furnish such information as may be necessary for carrying out the functions of the Council..." (Sec. 4(b)(2))

d. "To the extent permitted by law, (emphasis added) all appropriate records and papers of the Council shall be made available for public inspection..." (Sec. 8)

4. Besides the paperwork burden which such a law would impose, the bill, as indicated supra, presents numerous potential security problems. In addition to the fact that some of our translating is classified, the bill by virtue of its unlimited scope, would cover foreign language instructors, both in respect to numbers of persons but also presumably as to which languages are taught. This, for example, could present a "methods" problem as, by knowing how many instructors teach a particular language an interested party could easily determine wherein lay the Agency's primary focus and interest.

5. I explained that, although a total Intelligence Community or Agency exemption from the bill was unlikely and probably ill-advised, an exemption for classified material and sources and methods was highly probable should we seek the same. It was also pointed out that the bill was perhaps redundant in that the President, on 21 April 1978, set up the "Commission on Foreign Languages and International Studies" (notice attached) which would roughly cover the same ground as the proposed bill.

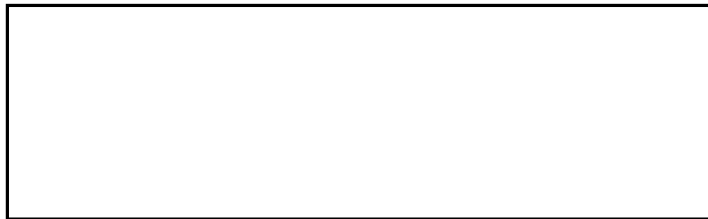
6. I added that it was OLC's belief that, at least for this session, the bill was probably a dead issue for the following reasons:

a. There was more pressing business before the Congress with little legislative time remaining this session.

b. The bill was apparently a "constituent bill" with no organized forces, if any, pushing it.

c. Congressman Breckinridge (D., Ky.), the sponsor of the bill, was a "lame duck" and would therefore be unable to reintroduce the bill anew next session

7. I ended the discussion by advising that we would monitor the bills, progress and would keep interested Agency parties apprised of developments, if any.



Assistant Legislative Counsel

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[3195-01]

Title 3--The President

Executive Order 12054

April 21, 1978

President's Commission on Foreign Language and International Studies

By virtue of the authority vested in me as President by the Constitution and statutes of the United States of America, and in accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 1), it is hereby ordered as follows:

SECTION 1. *Establishment.* (a) There is hereby established the President's Commission on Foreign Language and International Studies, hereinafter referred to as the Commission.

(b) The Commission shall consist of not more than twenty-five members to be appointed by the President, one of whom shall be designated by the President to chair the Commission.

SEC. 2. *Functions.* (a) The Commission shall conduct such public hearings, inquiries, and studies as may be necessary to make recommendations to the President and the Secretary of Health, Education, and Welfare in accordance with the objectives of the Commission outlined in subsection (b) of this Section.

(b) The objectives of the Commission shall be to:

✓ (1) Recommend means for directing public attention to the importance of foreign language and international studies for the improvement of communications and understanding with other nations in an increasingly interdependent world;

✓ (2) Assess the need in the United States for foreign language and area specialists, ways in which foreign language and international studies contribute to meeting these needs, and the job market for individuals with these skills.

✓ (3) Recommend what foreign language area studies programs are appropriate at all academic levels and recommend desirable levels and kinds of support for each that should be provided by the public and private sectors.

(4) Review existing legislative authorities and make recommendations for changes needed to carry out most effectively the Commission's recommendations.

SEC. 3. *Administration.* (a) To the extent authorized by law:

(1) All necessary expenses incurred in connection with the work of the Commission shall be paid from funds available to the Department of Health, Education, and Welfare.

(2) The Secretary of Health, Education, and Welfare may provide, or otherwise obtain, appropriate professional, technical, clerical and administrative personnel as may be necessary to enable the Commission to perform its functions.

(3) Executive agencies shall assist or otherwise cooperate with the Commission in the performance of its functions.

(4) Each member of the Commission who is not otherwise employed in the Government may receive compensation at the rate of \$100.00 per day for

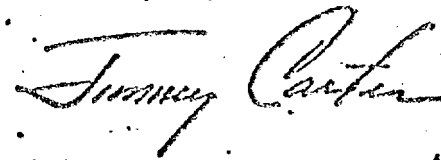
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THE PRESIDENT

each day such member is engaged in the work of the commission, and may also receive travel expenses, including per diem in lieu of subsistence (5 U.S.C. 5702 and 5703).

(b) Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act (5 U.S.C. App. 1), except that of reporting annually to the Congress, which are applicable to the Commission, shall be performed by the Secretary of Health, Education, and Welfare in accordance with guidelines and procedures prescribed by the Administrator of General Services.

SEC. 4. *Termination and Final Report.* The Commission shall submit its final report to the President not later than six months after its first meeting and shall terminate thirty days thereafter.



THE WHITE HOUSE,
April 21, 1978.

IFR Doc. 78-11318 Filed 4-21-78; 4:19 pm

95TH CONGRESS
2D SESSION

H. R. 13118

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1978

Mr. BRECKINRIDGE introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To establish a Federal Translation Coordinating Council to improve the quality of foreign language translations available for use by the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Federal
5 Translation Coordinating Council Act of 1978".

6 FINDINGS

7 SEC. 2. The Congress hereby finds that—

8 (1) the number of translators employed by the
9 Federal Government and the proficiency of such trans-
10 lators have been declining in the last several years;

1 (2) the community of translators in the United
2 States suffers from a duplication of effort, and lacks
3 the coordination of effort and the sufficient continuity
4 of training necessary to insure that translations of high
5 quality, including consistency in terminology and stand-
6 ardization of such translations, are available in the
7 United States;

8 (3) there is insufficient information available to
9 the Congress and to the public regarding the translation
10 capabilities of the Federal Government;

11 (4) great discrepancies exist with respect to grade
12 assignments and contract funding among the various
13 translators who are employed by the Federal Govern-
14 ment;

15 (5) there are virtually no comprehensive statistics
16 regarding the number of translators, the types of trans-
17 lation, and the costs of translation activities in the
18 United States;

19 (6) foreign language enrollments in institutions
20 of higher education in the United States dropped 30
21 per centum between 1968 and 1974 and appear to be
22 continuing to decline;

23 (7) in 1975, only 24 per centum of the secondary
24 school students in the United States were studying any

25 foreign language and even fewer are doing so now;
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1 (8) only 17 per centum of the students in the
2 United States who receive instruction in a foreign
3 language are able to speak, read, or write such language
4 with proficiency; and

5 (9) the International Education Act of 1969, which
6 provides for grants for international studies and research,
7 has never been funded.

8 ESTABLISHMENT OF COUNCIL

9 SEC. 3. There is hereby established as an independent
10 organization in the executive branch the Federal Translation
11 Coordinating Council.

12 FUNCTIONS OF COUNCIL

13 SEC. 4. (a) Before the date determined under section
14 11 to be the date on which the Council ceases to exist, the
15 Council shall—

16 (1) make such recommendations as may be neces-
17 sary to coordinate all Federal programs, activities, and
18 endeavors involving translation;

19 (2) determine, evaluate, and, where possible, im-
20 prove the quality and quantity of translation available
21 to interested persons;

22 (3) conduct a survey of the community of transla-
23 tors in order to determine the number and capabilities
24 of translators whose services may be available to the

reveals
classified

1 (4) determine which institutions of higher educa-
2 tion in the United States provide training in skills re-
3 quired for translation;

4 (5) determine the needs of the Federal Govern-
5 ment for translation services;

6 (6) determine which foreign countries maintain
7 translation systems and evaluate such systems for pur-
8 poses of comparison and improvement of the quality of
9 translation in the United States; and

10 (7) after consultation with persons in the commu-
11 nity of translators and other persons interested in
12 translation, determine such principles, standards, and
13 procedures for translation as the Council may deem
14 appropriate.

15 (b) (1) In order to perform the functions established
16 in subsection (a), the Council shall utilize pertinent available
17 information, studies, reports, statistics, and other data gath-
18 ered or compiled by any department, agency, or instru-
19 mentality of the Federal Government, or by any other public
20 or private source.

21 (2) Upon request by the Council, the head of any
22 Federal department, agency, or instrumentality shall furnish
23 to the Council such information as may be necessary for
24 carrying out the functions of the Council and as may be
25 available to such department, agency, or instrumentality.

MEMBERSHIP

1

2 SEC. 5. (a) The Council shall be composed of ten mem-
3 bers as follows:

4 (1) a delegate of the Secretary of State;

5 (2) a delegate of the Secretary of Defense;

6 (3) two representatives appointed by the President
7 from among officers and employees of the Federal Gov-
8 ernment who are involved in intelligence activities for
9 the Federal Government and who exercise significant
10 decisionmaking authority relating to translation and re-
11 lated fields;

12 (4) two representatives appointed by the President
13 from among officers and employees of the Federal
14 Government (one of whom shall be from the National
15 Science Foundation) who exercise significant decision-
16 making authority relating to translation and related fields
17 in any Federal department or agency which requires
18 translation services; and

19 (5) four representatives appointed by the President
20 who are experts in translation including persons from
21 institutions of higher education and private organizations
22 actively involved in translation.

23 (b) The Chairman of the Council shall be designated
24 by the President from among those members serving on the
25 Council pursuant to subsection (a).

1 (c) (1) Members of the Council who are full-time
2 officers or employees of the United States shall receive no
3 additional pay on account of their service on the Council.

4 (2) Members of the Council, other than those referred
5 to in paragraph (1), shall receive \$100 for each day (in-
6 cluding traveltime) during which they are actually engaged
7 in the performance of the duties of the Council.

8 (3) While away from their homes or regular places of
9 business in the performance of services for the Council,
10 members of the Council shall be allowed travel expenses,
11 including a per diem allowance in lieu of subsistence, in the
12 same manner as employees of the Federal Government are
13 allowed such expenses under subchapter I of chapter 57 of
14 title 5, United States Code.

15 STAFF

16 SEC. 6. (a) The Council may appoint such staff as it
17 considers desirable without regard to the provisions of title
18 5, United States Code, governing appointments in the
19 competitive service. The Council may pay such staff without
20 regard to the provisions of chapter 51 and subchapter III
21 of chapter 53 of such title, relating to classification and
22 General Schedule pay rates, except that no individual so
23 appointed may receive pay in excess of the annual rate of
24 basic pay in effect for grade GS-18 of the General Schedule

1 (b) Upon request of the Council, the head of any
2 Federal department or agency may detail to temporary duty
3 with the Council on a reimbursable basis such personnel
4 within his administrative jurisdiction as the Council may
5 need or believe to be useful for carrying out its functions
6 under section 4 (a). Any such detail shall be without loss
7 of seniority, pay, or other employment status.

8 REPORTING AND IMPLEMENTATION

9 SEC. 7. (a) The Council shall transmit to the President,
10 the Congress, and the Secretary of State a report which shall
11 include—

12 (1) recommendations with respect to the coordi-
13 nation of overall policy and development of objectives
14 and priorities for all Federal translation activities,
15 including any suggestion for Executive action or modifi-
16 cation of any Federal program relating to translation;

17 (2) any recommendation for legislation with respect
18 to the implementation of the principles, standards, and
19 procedures for translation determined by the Council
20 pursuant to paragraph (7) of section 4 (a); and

21 (3) a compilation of all data and information de-
22 scribed in paragraphs (3) through (6) of section 4 (a).

23 (b) The Secretary of State shall coordinate and imple-
24 ment, as is practicable, any recommendation included in the
25 report transmitted to him pursuant to subsection (a).

1 PUBLIC INSPECTION

2 SEC. 8. To the extent permitted by law, all appropriate
3 records and papers of the Council shall be made available for
4 public inspection during regular office hours.

5 RULES AND REGULATIONS

6 SEC. 9. The Council shall have the authority to prescribe
7 such rules and regulations as it may consider necessary to
8 carry out the provisions of this Act.

9 TERMINATION

10 SEC. 10. The Council shall cease to exist one calendar
11 year after the date on which the President appoints the last
12 of all of the members to be appointed by him to the Council
13 pursuant to paragraphs (3) through (5) of section 6.

14 DEFINITIONS

15 SEC. 11. For purposes of this Act—

16 (1) the term "community of translators" means
17 the group of persons which includes public, private,
18 commercial, academic, technical, and other translators;

19 (2) the term "Council" means the Federal Trans-
20 lation Coordinating Council established in section 3;

21 (3) the term "institutions of higher education"
22 shall have the meaning given it in section 1201 (a) of
23 the Higher Education Act of 1965;

24 (4) the term "translation" means the process of

1 English or English into any foreign language in any
2 written, oral, or other form of communication; and

3 (5) the term "translator" means any person in-
4 volved in the field of translation or any related field.

5 AUTHORIZATIONS OF APPROPRIATIONS

6 SEC. 12. There are authorized to be appropriated such
7 sums as may be necessary to carry out the provisions of this
8 Act.